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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/776,057 | 02/02/2001 | Robert Sesek | 10002445-1 | 9354 |

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

| EXAMINER | |
|----------------|--------------|
| LETT, THOMAS J | |
| ART UNIT | PAPER NUMBER |
| 2626 | |

DATE MAILED: 08/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|--------------------------------------|--|
| Office Action Summary | Application No. 09/776,057 | Applicant(s) SESEK, ROBERT | |
| | Examiner Thomas J. Lett | Art Unit 2626 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7,9,11-15 and 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7,9,11-15 and 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Upon review of the previous Office Action, Examiner vacated the action dated 9 March 2005.

Response to Arguments

2. Applicant's arguments filed 12 October 2004 have been fully considered but they are not persuasive. Applicant points out that "the claims require a bio signature associated with a print job, and not a computer user". Examiner notes that the fingerprint has to be associated with a computer user since a fingerprint has to be associated with a human (computer user) that issues a print job. Teitelbaum et al teaches a bio signature associated with a print job and a computer user. The fingerprint is obviously associated with a computer user and the print job is also associated with the fingerprint because the print job will only be printed if the bio signature of the originating side matches the bio signature of the receiving side. Teitelbaum et al's teaching also states that only a user with authorization is permitted access to configuration for a system of shared peripherals in a system (col. 6, lines 20-31).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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3. Claims 1, 2, 4-7, and 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al (USPN 5,633,932 A) in view of Teitelbaum et al (US Patent 5,848,231 A).

Davis et al discloses a printer (a printing node 130 that prints a sensitive document, col 5, lines 4-5) for outputting print jobs in hardcopy form;

a biometric identification device (a capturing device that captures data (e.g., a fingerprint) and compares it to a previously stored master, col. 5, line 66 – col. 6, line 8) associated with said printer for inputting bio signatures to said printer and will not print said secured print job (Examiner notes that the sensitive job is associated with the biometric validation) unless a bio signature is entered with said biometric identification device that matches a bio signature associated with said secured print job. Davis et al do not disclose said printer denies access to configuration controls of said printer.

Teitelbaum et al teach that only a user with authorization is permitted access to configuration of shared peripherals in a system (col. 6, lines 20-31). Davis et al and Teitelbaum et al are analogous art because they are from the similar problem solving area of user authentication. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the configuration access feature of Teitelbaum et al to the biometric printing node of Davis et al in order to obtain a printer capable of preventing a user from changing settings of a printer. The motivation for doing so would be to prevent printer tampering.

With respect to claim 2, Davis et al discloses a sending node 110 (col 3, lines 31-33), which reads on a host computer for generating said secured print job, said host

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computer associating said one or more bio signatures with said print job and transmitting said print job to said printer.

With respect to claim 4, Davis et al discloses a printing node may be represented as a facsimile machine (col 1, lines 43-45), which reads on wherein said printer is a fax machine.

With respect to claim 5, Davis et al discloses sensing a characteristic of the user (e.g., finger print) (col. 6, lines 2-3), which reads on wherein said bio signature is an electronic representation of a user's fingerprint.

With respect to claim 6, Davis et al discloses a "printing node" is defined as a stand-alone hardware device which can receive, temporarily store, and print or otherwise display data from a personal computer or any other transmission device (col 1, lines 39-42), which reads on the system of claim 1, wherein said printer further comprises: a display device for listing pending secured print jobs; and a user input device for selecting a secured print job to output.

With respect to claim 7, Davis et al discloses that the system includes a sending node, a printing node and a communication link coupling these nodes together in a network fashion (col 2, lines 29-32), which reads on said host computer and said printer are connected via a computer network;

and sensing a characteristic of the user (e.g., finger print, iris, retina, etc.) to capture a single frame of data (generally referred to as "data frame") or more likely multiple data frames of the characteristic (col 6, lines 2-5), which reads on said one or

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more bio signatures associated with said secured print job are retrieved by said host computer from said computer network.

Claim 11, a method claim, is rejected for the same reasons as that of claim 1.

Claim 12, a method claim, is rejected for the same reasons as that of claim 2.

Claim 13 is a method claim, and is rejected for the same reasons as that of claim 5.

Claim 14 is a method claim, and is rejected for the same reasons as that of claim 6.

Claim 15 is a method claim, and is rejected for the same reasons as that of claim 7.

1. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al (US Patent 5,633,932 A) in view of Peha (US 20030023851 A1).

Davis et al does not disclose a second biometric identification device associated with said host computer for generating said bio signature associated with said secured print job. Peha discloses that the Author Verification Information is generated using biometric information associated with the Author of a document, such as a fingerprint or retina scan (para 6, lines 14-16). Davis et al and Peha are analogous art because they are from the similar problem solving area of biometric authentication. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the feature of generating biometric data of Peha to Davis et al in order to obtain generated data to compare with biometric data that a user input to a first biometric device. The

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motivation for doing so would be to compare generated data with biometric data that a user input to a first biometric device.

2. Claims 9 and 17 is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al (US Patent 5,633,932 A) in view of Heptig et al (US Patent 5,377,269 A).

With respect to claim 9, Davis et al do not disclose that said printer tracks usage of said printer using bio signatures input with said biometric identification device.

Heptig et al discloses a personal computer (PC) 10, connected to printer 36, to prevent unauthorized access to its data and programs and which incorporates features for controlling and monitoring computer usage (col 4, lines 39-43), and authorized users may be identified through the use of devices such as fingerprint and retinascanners (col 19, lines 46-49). Davis et al and Heptig et al are analogous art because they are from the similar problem solving area of biometric authentication. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the usage monitoring feature of Heptig et al to Davis et al in order to obtain a system to monitor computer or printer usage. The motivation for doing so would be to track or log usage statistics of a device.

Claim 17 is a method claim, and is rejected for the same reasons as that of claim 9.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nevarez et al (US 6,189,103 B1) teaches of biometric access to resources such as files or printers and uses a comparison method to allow or deny access to the resources.

Guillemin et al (US PUB 2002/0065729 A1) discloses a biometric printing system configured to print documents based on matching fingerprints.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Lett whose telephone number is 703-305-8733. The examiner can normally be reached on 7-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached at 703-305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, DC 20231

or Faxed to:

(703) 872-9314 (for Technology Center 2600 only).

Hand-delivered responses should be brought to:

Crystal Park II

2121 Crystal Drive

Arlington, VA

Sixth Floor (Receptionist).

TJL





**KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER**